



City of Marietta Meeting Summary

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

CITY COUNCIL

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, November 17, 2008

7:00 PM

Council Chamber

20081369

Newsletter and video on demand website win awards

The International Economic Development Council on Excellence in Economic Development presents the city of Marietta with an award in two competition categories: the city's Blueprint Marietta newsletter and video on demand stories on redevelopment on the city website.

Presented

20081408

Swearing-in of new police officer

Swearing in of Michael Humfleet in the Marietta Police Department.

Presented

20081392

Marietta Citizens' Police Academy Graduates

Presentation of certificates by Officer Joshua Liedke and Chief Daniel Flynn to graduates of the Marietta Citizens' Police Academy.

Mattie Akinlosose (Ms. Mattie)	William Alberding
Nancy Ayers	Jean Banister
Mason Brown	David Craton
Ellen Gardner	Liz Graves
Fannie Mae Hunter	Jayson January
Marc Kornfield	Rebecca Morrow-Jones
Christopher Neill	Cathy Plouff
Thomas Plouff	Victoria Renhoe
Carolyn Richardson	Gregory Samuels
Camy Smith	Stephanie Streck
David Suddath	William Thomas
Andrew Thornton	Arlene Thornton
Jose Vanegas	Marieta Venters
Lawrence Weintraub	Cindy Worley
Matthew Worley	

Presented

20081386 **Regular Meeting - October 13, 2008**

Review and approval of the October 13, 2008 regular meeting minutes.

Approved

20081178 **Board of Zoning Appeals (Ward 6)**

Appointment to the Board of Zoning Appeals (Ward 6) for a three year term expiring September 8, 2011.

Approved

Motion to reappoint Millard Slayton to the Board of Zoning Appeals (Ward 6) for a three year term expiring September 8, 2011.

20081410 **Planning Commission Appointment (Ward 7)**

Appointment to the Marietta Planning Commission (Ward 7) for a three-year term.

Tabled

20081328 **Code Enforcement - 725 Bothwell Place**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 725 Bothwell Place.

Listed Owner: Martha Gallo

Certified mail receipt not received as of 10/29/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining.

Approved

20081331 **Code Enforcement - 654 Seminole Place**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 654 Seminole Place.

Listed Owner: Shannon Ryan (Norman) Master Account, c/o Cheryl Downing

Certified mail receipt not received as of 10/29/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

Removed

20081335 **Code Enforcement - 126 South Avenue**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 126 South Avenue.

Listed Owner: Gwen Wilcox Newberry

Certified mail receipt returned 10/12/08; not deliverable as addressed/unable to forward

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

Approved

20081336

Code Enforcement - 619 North Fairground Street

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 619 North Fairground Street.

Listed Owner: A & S Cheema, Inc.

Certified mail receipt returned 10/07/08; "no forwarding" address.

Taxes paid: Unpaid; in the amount of \$1,506.08

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

Approved

20081338

Code Enforcement - 354 Lawrence Street

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 354 Lawrence Street.

Listed Owner: Richard L. Roberts

Certified mail receipt not received as of 10/30/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

Approved

20081339

Code Enforcement - 206 Lakewood Drive

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 206 Lakewood Drive.

Listed Owner: Kevin . Jordan

Certified mail receipt returned 10/13/08; "attempted, not known, unable to forward."

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

*Removed*20081342 **Code Enforcement - 68 Height Street**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 68 Height Street.

Listed Owner: Richard Tyre

Certified mail receipt received on 10/10/08.

Taxes paid: Unpaid; in the amount of \$225.64.

PUBLIC HEARING REQUIRED

*Approved*20081352 **Code Enforcement - 1830 Cobb Parkway South**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 1830 Cobb Parkway South.

Listed Owner: Point Center Financial, Inc.

Certified mail receipt received 10/31/08; not signed by officer.

Taxes paid: Unpaid, owes \$59,419.20

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

*Approved*20081353 **Code Enforcement - 1725 Spinks Drive**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 1725 Spinks Drive.

Listed Owner: Nabil Michael Mansour & Awatef T. Mansour

Certified mail receipt received 10/15/08; signature not legible.

Taxes paid: Unpaid; in the amount of \$5,192.03

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

*Tabled*20081354 **Code Enforcement - 454 Patricia Way**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 454 Patricia Way.

Listed Owner: Brian T. & Patricia M. McNair

Certified mail receipt not received as of 10/29/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

*Approved*20081357 **Code Enforcement - 165 N. Fairground Street**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 165 North Fairground Street.

Listed Owner: James Lewis Nichols & Freda Durrett

Actual Owner: Elias Nikiforou, c/o Michael Kyriacou

Certified mail receipt received 10/22/08; signature not legible.

Taxes paid: Yes

PUBLIC HEARING RQUIRED

Philip M. Goldstein abstaining

*Removed*20081360 **Code Enforcement - 180 Powers Ferry Road**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 180 Powers Ferry Road.

Listed Owner: Bradford Frank

Certified mail receipt received 10/27/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

*Tabled*20081361 **Code Enforcement - 1252 Roswell Road**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 1252 Roswell Road.

Listed Owner: Parsa International LLC

Certified mail receipt received 10/07/08; not signed by managing member.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

*Removed*20081362 **Code Enforcement - 153 Hamilton Trace**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 153 Hamilton Trace.

Listed Owner: Uppaluri Praveen & Veemuri Hasita

Certified mail receipt received 09/24/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Approved

20081372

Denial of a claim

Denial of a claim of Trevor J. Young.

Approved to Deny Claim

20081373

Denial of a claim

Denial of the claim of Beverly Nielbock.

Approved to Deny Claim

20081374

Denial of a claim

Denial of the claim of Raphael Christian.

Approved to Deny Claim

20081443

Denial of Claim

Denail of a claim of Shantai Bettistea.

Approved

20081364

2008 Work Plan

Motion to extend the 2008 Work Plan for the Marietta Redevelopment Corporation through and including December 11, 2008.

Approved

20081377

FY2009 Fund Work Plan

Motion approving the DRAFT FY2009 Work Plan for the Marietta Fund for Neighborhood and Community Revitalization.

Removed

20081367

Section 8 Housing Choice Voucher Program

Motion approving the Section 8 Housing Choice Voucher Program 2008 Fair Market Rents.

Approved

20081309

Erosion Control Violations

Approval of an Ordinance amending the budget to receive and appropriate funds from erosion control violations.

Approved

20081261 **Ordinance 10-6-050**

Motion approving the proposed changes to Ordinance 10-6 Noise, 050F Restricted Uses and Activities regarding the times of day for which personal or commercial vehicular music may not be audible from a distance of 50 feet in any direction.

Approved

20081283 **2009 City of Marietta Legislative Agenda**

Motion approving Marietta's 2009 Georgia General Assembly Legislative Session draft priorities list.

Approved

20081284 **Intergovernmental Agreement with the Georgia Department of Revenue**

Motion approving the Intergovernmental Agreement with the state Department of Revenue for access to vehicle tag information by the city's vendor for the purpose of processing intersection enforcement citations.

Approved

20081285 **Quitclaim Deed**

Motion approving a Quitclaim Deed regarding certain property being purchased by Southern Polytechnic Foundation.

Approved

20081274 **Parks and Recreation Department Reorganization**

Approval of an Ordinance amending the 2008-2009 City of Marietta/BLW pay and position allocation chart adopted by Ordinance 7214 so as to delete one (1) Parks & Grounds Foreperson position and one (1) Parks & Grounds City Service Worker I position and to add one (1) Parks & Grounds Supervisor position to Parks & Grounds Maintenance [#3053].

Approved

20081297 **Building Permit Fees**

Motion authorizing adding the following fees to the Fee Chart:
Tenant Move-in Inspection - \$30

Building re-permitting fees applicable when a permit has been expired for no greater than one year:

Footing or Foundation Stage - 100% Standard permit fee

Framing Stage - 50% Standard permit fee

Final Stage - 30% Standard permit fee

Approved

20081299 **Lockheed Avenue**

Motion authorizing the Public Works Department to install signs stating "No Parking" along the frontage of 340 Lockheed Avenue.

Approved

20081298 **Speed Cushion Pilot Program**

Motion to allow a test area for speed cushions within the East Park Subdivision for residents who wish to have speed cushions in their neighborhood pay for the materials subject to the majority of residents agreeing and the location and type of speed cushions are acceptable to the Public Works Director.

Approved

20081303 **Campbell Hill Street Closure Agreement**

Motion to approve the attached amendment to the Campbell Hill Street Memorandum of Agreement.

Approved

20081278 **CA2008-09 Proposed Amendment to Sign Ordinance**

Proposal to amend Comprehensive Development Code, Division 714, Signs.

Approved

20081296 **Building Construction Costs**

Ordinance amending City Code 7-4-2-050-G, Section 5 & 6; Building Permit Valuations and Building Construction Costs.

Approved

20081365 **NLC Congress of Cities Voting Delegate**

Appointment of Annette Lewis as voting and Rev. Anthony Coleman as alternate voting delegates for the National League of Cities (NLC) Congress of Cities' Annual Business Meeting on Saturday, November 15, 2008.

Approved

20081389 **Safe Routes To School Program Grant Application**

Resolution to allow staff to apply for funds from the Safe Routes To School Program

Approved

20081406 **Permanent and Temporary Property Easements**

Motion authorizing acquisition of permanent and temporary easements within the following properties:

Roswell Street Streetscape
487 Roswell Street John McGrath \$3300

Approved

20081407

Property Acquisition

Motion authorizing total acquisition within the following properties for the purpose of Fairground Street Median and Streetscape

513 Ramona Street Mickey King \$147,000

Approved

20081409

Property Acquisition

Motion authorizing acquisition of permanent and temporary easements within the following properties:

Roswell Street Median and Streetscape between Victory and Cobb Parkway
1018, 1024, 1032 Roswell Street Marcello Reyes \$30,525

Approved

20081411

Letter of Endorsement for Marietta Housing Authority

Motion approving a Letter of Endorsement from the City of Marietta for the Marietta Housing Authority regarding the Demolition of Boston Homes Application.

Approved

20081412

Quit Claim Deed Transfer of Property - Marietta Housing Authority

Motion approving a Quit Claim Deed to transfer property located on Victory Drive from the City of Marietta to the Marietta Housing Authority, subject to the final approval of the City Manager and City Attorney.

Approved

20081417

Property Acquisition

Motion to authorize the acquisition of property owned by Mr. Frank Holcombe located at 324 S Fairground Street on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference.

Approved as Stipulated

Motion to authorize the acquisition of property owned by Mr. Frank Holcombe located at 324 S Fairground Street on behalf of the City of Marietta by means of eminent domain.

20081418

Property Acquisition

Motion to authorize the acquisition of property owned by Mr. William D. Young and Mr. Earl H. Young located at 72 Atlanta Street on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference.

Approved as Stipulated

Motion to authorize the acquisition of property owned by Mr. William D. Young and Mr. Earl H. Young located at 72 Atlanta Street on behalf of the City of Marietta by means of eminent domain.

20081419

Property Acquisition

Motion to authorize the acquisition of property owned by Ms. Margaret Hulme Anderson and the Citizens and Southern National Bank as Executors of the Estate of John D. Anderson located at 107 Waverly Way on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference.

Approved as Stipulated

Motion to authorize the acquisition of property owned by Ms. Margaret Hulme Anderson and the Citizens and Southern National Bank as Executors of the Estate of John D. Anderson located at 107 Waverly Way on behalf of the City of Marietta by means of eminent domain.

20081444

Property Acquisition

Motion to authorize the acquisition of property owned by Towers Partners, LLC, located at 300 Tower Road on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. Further, the City Attorney is required to contact the owners' attorney prior to generating or filing any proceedings in court

Approved

20081420 **Update/discussion on MRC Issues**

Update and discussion on work plan, funding and other issues.

Removed

20081421 **Utility location- Franklin Road**

Motion to approve utility relocation as a result of SPLOST project on Franklin Road.

Approved as Amended

Motion to require the utilities relocated as part of the Franklin Road Streetscape Project to be placed underground from South Marietta Parkway to the end of construction approximately south of Twin Brooks Drive. Utilities relocated as part of the Franklin Road Streetscape Project in the vicinity of Delk Road may remain above ground.

20081394 **Second Amendment to the Municipal Competitive Trust**

Motion to execute the Second Amendment to the Municipal Competitive Trust which (1) creates a new generation funding account which will provide each Participant the option to make deposits into this account to pay for its share of any new generation facility constructed by the Municipal Electric Authority of Georgia (MEAG), including the new nuclear units proposed at Plant Vogtle and (2) requires each Participant to reconfirm two (2) individuals by position or name who are authorized to make decisions on behalf of the Participant involving deposits into or withdrawal from any of the accounts established under the Municipal Competitive Trust.

Approved

20081387 **BLW Actions of November 10, 2008**

Review and approval of the November 10, 2008 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

Approved